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AF/1773

AMENDMENT UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
GROUP 1773  
PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q53451

Takafumi ATARASHI, et al.

Appln. No.: 09/254,005

Group Art Unit: 1773

Confirmation No.: 6345

Examiner: K. Kruer

Filed: March 1, 1999

For: CONSOLIDATED MATERIAL OF COATED POWDERS AND PROCESS FOR  
PRODUCING THE SAME

**RESPONSE UNDER 37 C.F.R. § 1.116**

**ATTN: BOX AF**

Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
JUN 6 2002  
TC 1700

Sir:

This is in response to the outstanding final Office Action dated March 5, 2002. Please consider Applicants' remarks as follows.

Claims 1, 3 and 5-8 were rejected under 35 U.S.C. § 102(a) as anticipated by or, in the alternative under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,763,085 to Atarashi et al.

With respect to the limitation that the particles form a "three-dimensional article", the Examiner considered that any article/object inherently has three dimensions such that this limitation does not distinguish over the toner of Atarashi et al. Particularly, the Examiner cited Atarashi et al as disclosing that the particles may be consolidated as a toner (column 9, line 37), a